

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

In response to the Notice of Improper Request for Continued Examination (RCE) mailed February 27, 2003, Applicants respectfully note that the RCE was accompanied by a proper submission in the form of a Supplemental Information Disclosure Statement. In view of the Office's subsequent mailing of a Communication approving Applicants' Request for Deferral/Suspension of Action under 37 C.F.R. § 1.103, which was contained in the RCE, Applicants presume that the Office located the Supplemental Information Disclosure Statement and appropriately determined the Notice of Improper RCE to be in error. Nonetheless, for the Office's convenience, copies of the Supplemental Information Disclosure Statement and the postcard receipt confirming the filing thereof with the RCE are attached to this Amendment.

Accordingly, this application is in order for continued examination. The following remarks address the issues outstanding from the final Office Action dated October 18, 2002.

Applicants first of all wish to acknowledge with appreciation the indication of allowable subject matter in Claims 13, 15, 17, and 19. These claims have been retained in dependent form in view of the allowability of their respective base claims as discussed hereinafter. New dependent Claims 60 and 61 have been added in order to provide specific protection for additional features of the invention within the broader scope of Claims 37 and 38, respectively. Accordingly, Claims 1-24 and 37-61 are pending for consideration.

Applicants also wish to express their appreciation for the Examiner's suggestion concerning Claim 59. Claim 59 has been amended to depend from Claim 37, as suggested.

Each of independent Claims 1, 6-7, 12, 16, 20, and 37-38 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Horiguchi et al. (Horiguchi). More particularly, with regard to Applicants' previous arguments, the Office asserted that the low power consumption mode in Horiguchi's Fig. 37 may be an active operation mode.

In response, the Examiner's attention is respectfully invited to Fig. 38 (a timing chart for Fig. 37) and to the related discussion in the paragraph bridging columns 14 and

15 in Horiguchi. These disclosures characterize the circuit of Fig. 37 as being in either the normal operation mode or a sleep mode (low power consumption). Thus, there is no basis for the Office's assertion that the low power consumption mode is an active operation mode.

Independent Claims 51-58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Horiguchi, the Office having contended that it would have been obvious to omit switches Sc and Ss from Horiguchi's Fig. 37 in order to achieve only low power consumption. Given, however, that such low power consumption corresponds to the sleep mode as noted above, the skilled artisan clearly would not have been motivated to omit the switches Sc and Ss, which are used to establish normal operation of the circuit.

The Office's reference to column 1, lines 19+ in Horiguchi is noted. However, it is apparent that Horiguchi is there addressing the general proposition of lowering the operating voltage of MOS semiconductor devices to reduce power consumption during normal operation.

As will be appreciated from the above remarks, the rejections outstanding from the October 18, 2002 final Office Action are unfounded. The rejections should

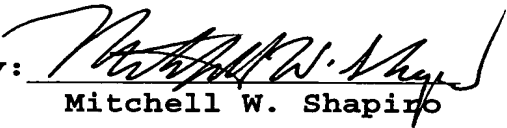
therefore be withdrawn, and this application should now be passed to issue.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

MWS:lmb

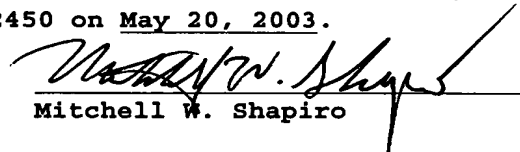
Miles & Stockbridge P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102
(703) 903-9000

By: 
Mitchell W. Shapiro
Reg. No. 31,568

May 20, 2003

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-2450 on May 20, 2003.


Mitchell W. Shapiro

Marked-up copy of Claim - 09/855,660

1 59. (Amended) A design data recording medium
2 according to claim [58] 37,
3 wherein said well region includes a first well portion
4 and a second well portion,
5 wherein said first mask pattern data includes fourth
6 mask pattern data and fifth mask pattern data,
7 wherein said fourth mask pattern data is for
8 determining a figure pattern for forming the first well
9 portion, and
10 wherein said fifth mask pattern data is for
11 determining a figure pattern for forming the second well
12 portion.